

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MONSTER ENERGY COMPANY, a ) Case No. 5:18-cv-01882-JGB (SHKx)  
12 Delaware corporation, )  
13 Plaintiff, ) **ORDER GRANTING**  
14 ) **DEFENDANTS' APPLICATION**  
15 vs. ) **FOR LEAVE TO SEAL**  
16 VITAL PHARMACEUTICALS, INC., )  
17 d/b/a VPX Sports, a Florida )  
18 corporation; and JOHN H. OWOC, )  
19 a.k.a. JACK OWOC, an individual, )  
20 Defendants. )

Before the Court is Defendants Vital Pharmaceuticals, Inc. d/b/a VPX Sports (“VPX”) and John H. Owoc’s Application for Leave to Seal (the “Application”). Having considered the Application, the Declaration of Francis Massabki filed in support thereof, and the remaining record in this action, and otherwise being fully advised in the premises, the Court hereby finds and orders as follows:

1. The Application concerns Defendants’ request to seal VPX’s billing records [Dkt. # 16-3, pages 5-12] that Plaintiff, Monster Energy Company (“Monster”), filed in support of Monster’s opposition [Dkt. # 16] to Defendants’

motion to disqualify counsel [Dkt. # 15].

2. Defendants represent, and this Court finds, that the billing records at issue belong to VPX (not Monster), VPX (not Monster) holds the attorney-privilege attendant to those records and the right to decide when, if at all, to publicly disclose those records, and the records were not in the public domain until Monster filed them in public docket in this action without VPX's knowledge or consent.

3. Additionally, this Court finds that the records contain confidential information subject to the attorney-client privilege and/or work-doctrine, and that good cause otherwise supports the Application.

4. Accordingly, this Court hereby **GRANTS** the application and directs the Clerk to remove those limited pages, again, [Dkt. # 16-3, pages 5-12], from the public docket in this action.

## IT IS SO ORDERED.

Dated: December 10, 2018

JESUS G. BERNAL  
UNITED STATES DISTRICT JUDGE